GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Forest Department - Disciplinary proceedings initiated against Sri C. Yellaiah, Junior Assistant (compulsory retired), Kadapa (T) Division, earlier Senior Assistant, O/o the DFO., FSP Division, Kurnool, Kurnool Circle under Rule 20 of A.P. Civil Services (Classification, Control & Appeal) Rules,1991 – Enquiry conducted - Imposition of penalty of "2% cut in pension for a period of two (02) years and treating the suspension period underwent by the Charged Officer as not on duty" – Orders – Issued.

ENVIRONMENT, FORESTS, SCIECNE & TECHNOLOGY (SEC.IV) DEPARTMENT

G.O.Ms.No.12 **Dated.14.02.2024.**

Read the following:-

1. From the Principal Chief Conservator of Forests & Head of Forest Force, A.P., Guntur, Letter Ref.No.2831/2020/A&DC-3, dated 07.08.2020.
2. From the Principal Chief Conservator of Forests & Head of Forest Force, A.P., Guntur, letter Ref.No.2831/2020/A&DC-3, dated 20.07.2022.
3. Govt. Memo.1282/Sec.IV/A2/2021, E.F.S. & T. (Sec.IV) Dept., dated 21.09.2022.
4. From the Principal Chief Conservator of Forests & Head of Forest Force, A.P., Guntur, letter Ref.No.2831/2020/A&DC-3, dated 19.12.2022.
5. Govt. Memo.No.1282/Sec.IV/A2/2021, E.F.S. & T. (Sec.IV) Dept., dated 28.12.2022.
6. Remarks of the Chief Conservator of Forests, Kurnool dated 27.06.2023 received through Letter Ref.No.2831/2020/A&DC-3, dated 18.07.2023 of the Principal Chief Conservator of Forests & Head of Forest Force, A.P., Mangalagiri.

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ORDER:

In the reference 1st read above, the Principal Chief Conservator of Forests & Head of Forest Force, A.P., has reported that the Conservator of Forests, Kurnool, issued the following article of charge against Sri C.Yellaiah, earlier Senior Assistant, O/o the Divisional Forest Officer, Flying Squad Party Division, Kurnool, Kurnool Circle, under Rule 20 of A.P.Civil Services (Classification, Control & Appeal) Rules, 1991, in Rc.No.91/ 014/ M3, dt.19.03.2014 on the following count:

Article:

"That Sri C. Yellaiah, Senior Assistant under suspension while working as Senior Assistant in the Office of the Divisional Forest Officer, F.S. Division, Kurnool had grossly neglected his legitimate duties, not heeding to the instructions of Superior Officers and is also found willfully absenting from duty from 18.10.2013 onwards without applying for sanction of leave and taking prior permission from the competent authority causing dislocation of office works."

2. The Charged Officer acknowledged the receipt of the Article of Charge on 26.03.2014 and submitted his written defense statement dated 26.05.2014. The Conservator of Forests, Kurnool appointed the Divisional Forest Officer, Flying Squad Division, Kurnool as Inquiry Officer and Forest Range Officer, Kurnool as Presenting Officer in Proc.No.91/2014/M3, dt.06.08.2014, for conducting the regular inquiry.

3. The Inquiry Officer & Divisional Forest Officer, Flying Squad Division, Kurnool has submitted his findings in Rc.No.154/2014/FSD(K). dated 20.11.2019, wherein the Inquiry Officer has concluded as follows:

Findings:

"The Article of Charge framed against Sri C. Yellaiah, Sr. Assistant, is held **"Proved beyond any reasonable doubt."**

4. The Additional PCCF/Conservator of Forests, Kurnool communicated the findings of the Inquiry Officer to the Charged Officer on 12.12.2019. The Charged Officer acknowledged the Final Notice on 17.01.2020 and did not submit any further defense statement.

P.T.O.

5. Since the Charged Officer has compulsory retired from Government Service in Proc.No.1350/2018/A10, dated 19.12.2018, the disciplinary proceedings are continued, under Rule 9 of A.P.Revised Pension Rules, 1980 for finalization of the disciplinary case.

6. The Principal Chief Conservator of Forests & Head of Forest Force, A.P., Guntur has stated that there is no financial loss caused to Government and the nature of charge is absconding from duty.

7. After careful examination of the issue and keeping in view the findings of the Inquiry Officer and remarks of the Principal Chief Conservator of Forests & Head of Forest Force, A.P., it has been provisionally decided to impose a penalty of "2% cut in pension for a period of two (02) years and treating the suspension period underwent by the Charged Officer as not on duty", against Sri C.Yellaiah, Junior Assistant (compulsorily retired). Accordingly, in the reference 3rd read above, a Show-cause Notice has been issued to the charged officer on the proposed punishment for submitting his explanation.

8. The Charged Officer acknowledged the receipt of Show-cause notice on 10.11.2022 and submitted his further defense statement on 05.12.2022.

9. The defence statement, dated 05.12.2022 of the charged officer has been examined in the light of the remarks furnished by the Chief Conservator of Forests, Kurnool in the reference 6th read above and as per Fundamental Rule-67, leave cannot be claimed as a right, when the exigencies of the public service so require, discretion to refuse or revoke leave of any description is reserved to the authority empowered to grant it. As per the Fundamental Rule-67, the charged officer has to proceed on leave after getting sanction from the competent authority. But he has proceeded on leave without prior permission/sanction from the competent authority and contravened the said rules.

10. After careful examination of the entire matter, it has been decided to impose a penalty of "2% cut in pension for a period of two (02) years and treating the suspension period underwent by the charged officer as not on duty" against Sri C. Yellaiah, Junior Assistant (compulsory retired), Kadapa (T) Division, earlier Senior Assistant, O/o the DFO., FSP Division, Kurnool, Kurnool Circle, under Rule of A.P.Revised Pension Rules, 1980.

11. Accordingly, Government hereby order to impose a penalty of "2% cut in pension for a period of two (02) years and treating the suspension period underwent by the charged officer as not on duty" against Sri C. Yellaiah, Junior Assistant (compulsory retired), Kadapa (T) Division, earlier Senior Assistant, O/o the DFO., FSP Division, Kurnool, Kurnool Circle under Rule 9 of A.P. Revised Pension Rules 1980.

12. The Principal Chief Conservator of Forests & Head of Forest Force, A.P., Mangalagiri, shall take necessary further action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri C. Yellaiah, Junior Assistant (compulsory retired), Kadapa (T) Division, earlier Senior Assistant, O/o the DFO., FSP Division, Kurnool, Kurnool (through the PCCF & HoFF, A.P., Mangalagiri)
The Principal Chief Conservator of Forests & Head of Forest Force, A.P., Mangalagiri.

Copy to:
The Accountant General (A&E), Andhra Pradesh, Vijayawada.
SF/SCs (Computer No.1476720).

//FORWARDED :: BY ORDER //

SECTION OFFICER